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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,933	11/09/2001	Marc L. Aronson	20134-2	4793

572 7590 09/25/2002

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EXAMINER

HENCE, ANDREA A

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 09/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N

10/008,933

Applicant(s)

ARONSON, MARC L.

Examiner

Andrea A. Hence

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☒ Claim(s) 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Objections

1. Claim 10 is objected to because there is insufficient antecedent basis for this limitation in the claim. Claim 10 recites the limitation "said one locking head". Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Webb (4,353,521). Examiner notes that applicant's claims are directed to a lock apparatus by itself per se with a for use limitation associated with a hand stamping device. Therefore, a hand stamping device is not claimed as part of a lock apparatus.

Webb shows an anti-theft device that includes all of the limitations recited in claims 1-10. Referring to claim 1, Webb shows a lock apparatus including the combination of locking heads (20, 49) having upstanding anchor walls (inside walls of vertical members of (49)) protruding from a back wall (side walls of vertical members of (49)) such that the anchor walls of one locking head (49) receive a tangible object and the anchor walls (34) of the other locking head (20); struts (42), (44) for connecting said locking heads in a spaced apart relation with said anchor walls extending toward each other; and a lock (56) for interlocking said locking heads in a spaced apart relation between said struts.

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Referring to claims 2 and 3, Webb shows the lock apparatus further including releasably interconnecting tab and slot connectors (32), (52) carried by one of said locking heads (20) and one of said struts (42) for receiving said lock. Referring to claim 4, Webb shows the lock apparatus wherein said struts (42), (44) are integral with one of said locking heads (49).

Referring to claims 5 and 8, Webb shows the lock apparatus wherein said anchor walls (inside walls of vertical members of (49)) extend in a parallel spaced apart relation from one of said locking heads (20). Referring to claim 6, Webb shows a lock apparatus wherein anchor walls (inside walls of vertical members of (49)) extend in a converging angular relation from one of said locking heads (49). Referring to claim 7, Webb shows the lock apparatus wherein the anchor walls of said one locking head (20) have an extending length for protruding into such a frame cavity. Referring to claim 9, Webb shows a lock apparatus wherein said back wall of said other locking head (49) is defined by a length and width. Referring to claim 10, Webb shows the lock apparatus wherein said back wall of said other locking head (49) is defined by a length and width and wherein anchor walls (inside walls of vertical members of (49)) of one locking head have an extending length. Again, examiner notes that a stamp platen is not claimed and is not considered when interpreting the claims.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. These include:

- Labrum (4,334,578) – discloses a well casing closure
- Warren et al. (5,855,129) – discloses a device for locking movable objects

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- McClure (1,296,301) – discloses a device for locking automobile batteries
- Michelman et al (4,120,182) – discloses a locking device mountable on a lidded container

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrea A. Hence whose telephone number is (703) 305-8427.

The examiner can normally be reached on Monday- Friday; 8:30a-5:30p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (703) 305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Andrea A. Hence

AAH
September 20, 2002



**REN YAN
PRIMARY EXAMINER**